



General Assembly

**Amendment**

January Session, 2007

LCO No. 7764

\*SB0097707764HDO\*

Offered by:

REP. MCMAHON, 15<sup>th</sup> Dist.

REP. FLEISCHMANN, 18<sup>th</sup> Dist.

REP. RUWET, 65<sup>th</sup> Dist.

To: Subst. Senate Bill No. 977

File No. 760

Cal. No. 642

**"AN ACT CONCERNING RESTRAINTS AND SECLUSION IN  
PUBLIC SCHOOLS."**

1 Strike section 3 in its entirety and insert the following in lieu thereof:

2 "Sec. 3. Section 46a-153 of the general statutes is repealed and the  
3 following is substituted in lieu thereof (*Effective October 1, 2007*):

4 Each local or regional board of education, institution or facility that  
5 provides direct care, education or supervision of persons at risk shall  
6 (1) record each instance of the use of physical restraint or seclusion on  
7 a person at risk and the nature of the emergency that necessitated its  
8 use, and (2) include such information in an annual compilation on its  
9 use of such restraint and seclusion. The commissioner of the state  
10 agency that has jurisdiction or supervisory control over [the] each  
11 institution or facility shall review the annual compilation prior to  
12 renewing a license for or a contract with such institution or facility.  
13 The State Board of Education may review the annual compilation of

14 each local and regional board of education, institution and facility that  
15 provides special education for children and may produce an annual  
16 summary report identifying the frequency of use of physical restraint  
17 or seclusion on such children. If the use of such restraint or seclusion  
18 results in physical injury to the person, (A) the local or regional board  
19 of education, institution or facility that provides special education for a  
20 child may report the incident to the State Board of Education, and (B)  
21 the institution or facility shall report the incident to the commissioner  
22 of the state agency that has jurisdiction or supervisory control over the  
23 institution or facility. The State Board of Education and the  
24 commissioner receiving a report of such an incident shall report any  
25 incidence of serious injury or death to the director of the Office of  
26 Protection and Advocacy for Persons with Disabilities and, if  
27 appropriate, to the Child Advocate of the Office of Child Advocate."